

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED
United States Courts
Southern District of Texas
ENTERED
JUL 02 2004

Michael N. Milby, Clerk of Court

In re ENRON CORPORATION SECURITIES
LITIGATION

§ Civil Action No. H-01-3624
§ (Consolidated)

§ CLASS ACTION

This Document Relates To:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, et al., Individually and On Behalf
of All Others Similarly Situated,

Plaintiffs,

vs.

KENNETH L. LAY, et al.,

Defendants.

United States Courts
Southern District of Texas
FILED
JUN 30 2004

Michael N. Milby, Clerk

CONFIDENTIALITY ORDER FOR DEPOSITION TESTIMONY AND EXHIBITS

2247

Pursuant to the Court's Deposition Protocol Order, the Court's March 29, 2003 Confidentiality Order, and General Order No. 2002-9, the parties have agreed as to the confidentiality for deposition testimony and exhibits. Accordingly, the Court

ORDERS:

1. Deposition testimony and exhibits containing personal information, including social security numbers, names of minor children, dates of birth, financial-account numbers, driver's license numbers, home addresses or telephone numbers, types of financial accounts, individual portfolio statements, individual account statements, salary or bonus information, medical histories or conditions, sexual-harassment allegations, participation in personal civil or criminal proceedings unrelated to this litigation, credit histories, and any other information of a personal and private nature shall be deemed confidential and shall not be disclosed by any person given access to the documents in the document depository or participating in the Deposition Protocol Order, other than to the parties, counsel for the parties, employees of the parties or their counsel, witnesses, experts retained by the parties, the Depository Administrator and the Court-appointed mediator.

2. Except as previously ordered otherwise by this Court, and with the exception of those items set forth in Paragraph 1, for any deposition testimony and exhibits that a party believes are proprietary or for some other reason should be deemed confidential, parties shall move the Court for a protective order within 30 days of the conclusion of the deposition. Prior to the filing of any motion for protective order, the party seeking protection for testimony or exhibits shall first give reasonable notice to the other parties, allowing an opportunity for the parties to consult in an attempt to resolve the issue by agreement. Failing an agreement of the parties, the party seeking confidential treatment shall move the Court for a protective order, identifying those portions of the deposition testimony and exhibits that it seeks to keep confidential, with supporting affidavits setting forth particular and specific facts that establish good cause (specific prejudice or harm from the

distribution to third parties) for the issuance of a protective order as to each designated section of the deposition testimony or exhibit.

3. During the 30 days following the conclusion of any deposition, any party with access to the deposition transcript and exhibits will keep both confidential. If, after 30 days from the date of the deposition's conclusion, no party has moved for protection, the deposition testimony and exhibits will be sent to the depository, and their confidentiality will be deemed waived.

4. If a motion for protection is filed, all deposition transcripts and exhibits will be kept confidential until the Court rules on the motion.

IT IS SO ORDERED.

DATED:

July 1, 2004

Melinda Harmon

MELINDA HARMON
U.S. DISTRICT COURT JUDGE